

REMARKS

Applicants have submitted herewith a Substitute Specification making editorial corrections to the specification. The Substitute Specification does not contain new matter. A marked-up copy of the specification showing the matter being added to and deleted is also submitted herewith.

The Examiner's attention is directed to fact in the filing receipt of the present application, the title contained a misspelling. This misspelling was not due to an error created by the Applicants, but rather was the result of an error created when preparing the official filing receipt. Accordingly, a correction of the word "Particularly" on the filing receipt is respectfully requested.

It is noted, with appreciation, that the Examiner has indicated that claims 5-7, although objected to as being dependent upon a rejected base claim, would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-4 and 8-12 have been rejected by the Examiner under 35 USC 103(a) as being unpatentable over Koyanagi et al., U.S. Patent 5,584,107. This rejection is respectfully traversed.

The present invention is directed to a coupling device for restraining belts, particularly for children's safety belts used in motor vehicles, wherein the tongue elements of the coupling device contain a metal insert which is wholly covered by a plastic or rubber housing or coating.

In the prior art, metal tongues of coupling devices for restraining belts suffer from the draw back that the metal tongues adapted to be engaged in the buckle body can become very hot, particularly during hot days when the motor vehicle is exposed to sun rays. In such a situation, the temperature of the tongue may become dangerously high and could produce burning injuries

when inadvertently contacted by a child. Accordingly, the present invention provide a tongue element for a coupling device for restraining belts, particularly for children's safety seats for motor vehicles which does not suffer from the above-mentioned drawbacks and thus has a structure strong enough not to break when, in the case of a vehicle impact, the belt has to exert a restraining action on the body of the seat occupant. In addition, the tongue elements of the coupling device include a metal insert which is wholly covered by a plastic or rubber housing or coating material. Thus, unlike the problems of the prior art, the tongue element 10 does not have any exposed metal part which could become overheated by the sun and thus produce a burning injury to a child or cause allergic reactions by anyone who might handle the coupling device. Moreover, since the metal insert of the tongue element extends substantially through the whole tongue element, the element is provided with a high mechanical strength and can thus be applied also to seats for children of greater size, where the restraining systems have to operate under more difficult loading conditions.

In rejecting claims 1-4 and 8-12 of the present application, the Examiner argues that Col. 5, lines 9-17 of the Koyanagi et al. patent describe tongue elements that contain a metal insert that is partially covered by a coating. The Examiner does recognize that the tongue element, including the metal insert, is not wholly covered or coated. But, in spite of this fact, argues that it would have been obvious to one having ordinary skill in the art to have covered the entire tongue elements since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use and thus is a matter of obvious design choice. However, in referring to Col. 5, lines 9-17 of the Koyanagi et al. patent it should be noted that the base portion of the tongue plate 31 is covered by a plastic material to obtain a handle. Thus, the purpose for coating the base portion of the tongue is to improve the esthetic appearance and to improve the grip between the hand of the user and the tongue 3. On the other hand, in the Koyanagi et al. patent, the tongue plate 31 has a stem metal portion that is not covered by a plastic material. According to the present invention, covering the stem metal portion with a plastic material has functions that are completely different from merely improving the esthetic appearance and improving the grip. In particular, covering the stem metal portion

reduces noise due to vibrations when the tongue is coupled to the buckle, and in addition, the plastic covering, which has a lower heat transmission than metal, protects the metal stem from the sun rays when the tongue is not coupled to the buckle. For example, in order to avoid degradation of hot metal parts due to sun rays, the prior art provides a couple of pockets so that when the car seat is not in use, the metal tongues can be placed into such pockets. Such a solution is completely different from the present invention which utilizes a plastic or rubber coating to protect the child from overheated metal parts.

Since the Koyanagi et al. patent does not recognize the Applicants' problem, the patentees cannot possibly recognize the Applicants' solution to said problem. Unless one skilled in the art recognizes the problem of protecting children from exposed hot metal parts, the incidental covering of some metal parts, for different reasons, would not suggest to one skilled in the art the necessity of covering all of the exposed metal parts as determined by the present invention. Clearly, the prior art patent does not cover all of the metal parts because in solving its particular problem there is no necessity to undertake such a consideration. Claim 1 clearly recites that each tongue element includes a metal insert which is wholly covered by a plastic or rubber housing or coating material. This inventive contribution is not a mere design choice since the present invention solves a particular problem not recognized in the prior art.

Accordingly, in view of the above amendments and remarks, reconsideration of the rejection and allowance of all of the claims of the present application are respectfully requested.

Application No. 10/562,854
Amendment dated January 23, 2007
Reply to Office Action of October 23, 2006

Docket No.: 2723-0147PUS1

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Joseph A. Kolasch Reg. No. 22,463 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: January 23, 2007

Respectfully submitted,

By  _____

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